

REMARKS

This application has been reviewed in light of the Office Action dated September 16, 2005. Claims 11-15, 17-23 and 25-32 are presented for examination, of which Claims 11, 19, 27, 29 and 31 are in independent form. Claims 1-10, 16 and 24 have been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. Claims 11-15, 17-23 and 25-27 have been amended to define still more clearly what Applicant regards as his invention, and in particular to address the formal matters raised by the Examiner in his objections to the claims and, in the case of Claim 27, to address the rejection made under 35 U.S.C. § 101. The changes made do not affect the scope of any claim element. Claims 29-32 have been added to assure Applicant of a full measure of protection. Favorable reconsideration is respectfully requested.

Initially, Applicant notes that the Office Action does not mention Applicants claim to priority benefit under 35 U.S.C. § 119. Since a Claim to Priority and a certified copy of Applicant's priority application were filed on December 21, 2001 (see attached PAIR print-out), the Examiner's is respectfully requested to provide priority acknowledgment in his next paper.

Claim 27 was rejected under Section 101 because that claim did not recite a computer-readable storage medium. That claim now recites that the claimed program is stored in such a medium, and withdrawal of this rejection is therefore respectfully requested.

Claims 27 and 28 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,912,057 B1 (Idehara), and Claims 17, 18, 25 and 26, as being anticipated by U.S. Patent 5,978,557 (Kato). In addition, Claims 11, 12, 19 and 20 were rejected under 35 U.S.C. § 103(a) as being obvious from *Kato* in view of *Idehara*, and

Claims 13-15 and 21-23, as being obvious from those two documents in view of U.S.

Patent Application Publication 2002/0015171 (Tsunekawa).

As is described in the specification, the present invention is intended to make more convenient the printing and outputting of print jobs that contain a mixture of color and black-and-white pages.

Independent Claim 11 is directed to an information processing apparatus connected to a first printer and a second printer, and comprising a discriminating unit adapted to discriminate to which of those first printers each page of print information is outputted. An output unit is adapted to output, to the first printer, the page in the print information which was determined to be outputted to the first printer, and to output, to the second printer, the page in the print information which was determined to be outputted to the second printer. A controller adds control information for switching ejecting positions regarding pages in which the succession of page numbers is broken to the print information which is outputted to the first printer, in a manner such that the pages are sorted and ejected in the first printer on an output page unit basis of the succeeding page numbers.

*Kato* relates to a system in which, for each page, a determination is made as to whether any color information is present in the page (see Fig. 4). Any page containing color data is sent to a color printer to be printed, while the other pages are printed at a monochrome printer. The operator can instruct the system to insert a dummy page in each set of printed pages to indicate where one or more pages from the other set need to be inserted (an example of such a dummy page is shown in Fig. 11). If the total size of the job is small, however, the operator may designate that no dummy pages are to be produced. The *Kato* system, however, does not provide the user with the ability to designate a

particular ejection destination (sorter bin) in the color printer or in the monochromatic printer.

*Idehara* relates to an image forming apparatus that sorts print data into monochromatic pages and color pages, as shown in Figs. 3A-3C. Rather than print all the pages in order, the image forming apparatus prints all the color pages, and then all the monochromatic pages (or the monochromatic printing may precede rather than follow the color printing). This is done to avoid having to switch the apparatus between color printing and monochrome printing repeatedly (since each such switch requires time). To facilitate the operator's putting the printed pages into the correct order, the apparatus switches ejection bin whenever it detects a discontinuity in the page numbering. As a result, each bin used contains a set of consecutively numbered pages, and the operator need only put the respective sets into the correct order.

Assuming, for argument's sake, that one of merely ordinary skill would have found it obvious to combine the approaches of *Kato* (which divides the job into two, which are sent to two different printers) and *Idehara* (which uses a single printer, and divides the print job into a color portion and a monochromatic portion), the proposed combination would not in fact provide the controller recited in Claim 11, which “*add[s] control information* for switching ejecting positions regarding the pages in which a succession of page numbers was broken *to the print information* which is outputted to the first printer by said output unit in a manner such that the pages are sorted and ejected on an output page unit basis of the succeeding page numbers in the first printer [emphases added]”. As far as can be seen, in the *Idehara* apparatus, the page numbering itself appears to be used to determine when it is time to switch to a new bin (col. 4, lines 47-51); Applicant submits that nothing has been found, or pointed out, in that patent that would

teach or suggest adding control information to the image information. In the *Kato* apparatus, on the other hand, a flag that is set upon detection of color information in a page is used to determine which pages go to which printer (see Fig. 4). Applicant submits that nothing in either patent, nor in both taken together, would teach or suggest adding control information to the image information, or a controller for that purpose, as recited in Claim 11.

For at least these reasons, Claim 11 is deemed allowable over those two patents, taken separately or in any permissible combination (if any).

Independent Claims 19 and 27 are method and program claims, respectively, corresponding to apparatus Claim 11, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 11.

Independent Claim 29 is directed to an information processing apparatus capable of communicating with a plurality of print control apparatuses including a color print control apparatus and a monochromatic print control apparatus. The claimed information processing apparatus comprises a discrimination unit adapted to discriminate whether print data to be output to any of the plurality of print control apparatuses is color data or monochromatic data, and a determination unit adapted to determine whether the print data is to be output either to the color print control apparatus or to the monochromatic print control apparatus, based on a discrimination made by the discrimination unit. A first output unit, when the determination unit determines that the print data is to be output to the color print control apparatus, outputs the print data to the color print control apparatus with a designation of a first ejection destination, the first output unit outputting a certain page while maintaining the designation of the first ejection destination, if the page is serial to a previously outputted page, and changing the designation of the first ejection destination, if

the page is not serial to the previously outputted page. Also provided is a second output unit that, when the determination unit determines that the print data is to be output to the monochromatic print control apparatus, outputs the print data to the monochromatic print control apparatus with a designation of a second ejection destination, the second output unit outputting a certain page while maintaining the designation of the second ejection destination, if the page is serial to a previously outputted page, and changing the designation of the second ejection destination, if the page is not serial to the previously outputted page.

Claim 29 is believed to be allowable over *Kato* and *Idehara*, taken separately or in any permissible combination (if any), at least by virtue of the recited first and second output units. Even if the *Kato* system be deemed to involve two printers, Applicant submits that nothing in that patent would teach or suggest an information processing apparatus that has two output units, as recited in Claim 29. Moreover, nothing has been found in *Idehara* that is seen to provide such teaching.

Independent Claim 31 is a method claim corresponding to apparatus Claim 29, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 29.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of

the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212): 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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